

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE:)
BRIMONIDINE PATENT LITIGATION) MDL Docket No. 07-md-01866 GMS
)

NOTICE OF DEPOSITION OF CARLOS FISHER

PLEASE TAKE NOTICE that, pursuant to Federal Rules of Civil Procedure 26 and 30, and Local Rules 30.1 and 30.3-30.6, Defendants Exela PharmSci, Inc. and Exela Pharm Sci Pvt. Ltd. ("Exela"), will take the deposition upon oral examination of Carlos Fisher beginning on September 26, 2008, at 9:00 AM, at the offices of Bingham McCutchen, LLP, 2020 K Street, N.W., Washington, D.C. 20006, before a notary public or other officer or person authorized to administer an oath under the laws of the United States.


PLEASE TAKE FURTHER NOTICE THAT the deposition will continue from day to day until completed, with such adjournments as to time and place as may be necessary. The deposition will be recorded by stenographic means and may be videotaped.

You are invited to attend and examine the witness.

OF COUNSEL:

B. Jefferson Boggs, Jr.
Sharon E. Crane
Susan Baker Manning
Erin M. Dunston
Krista Leigh Lynch
Bingham McCutchen LLP
2020 K Street NW
Washington, DC 20006

David A. Zwally
Brian J. Malkin
Frommer Lawrence & Haug LLP
745 Fifth Avenue
New York, NY 10151
(212) 588-0800



Frederick L. Cottrell III (#2555)
cottrell@rlf.com
Kelly E. Farnan (#4395)
farnan@rlf.com
Richards, Layton & Finger
One Rodney Square
920 North King Street
Wilmington, DE 19801
(302) 651-7700
*Attorneys for Defendants Exela PharmSci, Inc.
Exela Pharm Sci, Pvt. Ltd.,*

Dated: August 27, 2008

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 27, 2008, I electronically filed the foregoing with the Clerk of Court using CM/ECF and caused the same to be served on counsel of record at the addresses and in the manner indicated below:

VIA HAND DELIVERY

William J. Marsden, Jr.
Fish & Richardson, P.C.
919 N. Market Street, Suite 1100
Wilmington, DE 19801

Richard L. Horwitz
Potter Anderson & Corroon LLP
1313 N. Market Street
Hercules Plaza
Wilmington, DE 19801

VIA E-MAIL

Juanita R. Brooks
Fish & Richardson
12390 El Camino Real
San Diego, CA 92130

Jonathan E. Singer
Michael J. Kane
Fish & Richardson
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402

W. Chad. Shear
Fish & Richardson
1717 Main Street, Suite 5000
Dallas, TX 75201

Robert B. Breisblatt
Katten Muchin Rosenmann LLP
525 West Monroe Street
Chicago, IL 60601-3693

/s/Kelly E. Farnan

Kelly E. Farnan (#4395)
farnan@rlf.com